



ERIC GIBSON
INTERIM DIRECTOR

County of San Diego

DEPARTMENT OF PLANNING AND LAND USE

5201 RUFFIN ROAD, SUITE B, SAN DIEGO, CALIFORNIA 92123-1666
INFORMATION (858) 694-2960
TOLL FREE (800) 411-0017

MITIGATED NEGATIVE DECLARATION

June 12, 2008

Project Name: Paseo Arbolado Major Subdivision (6 Condominium Units); Tentative Map

Project Number(s): TM 5406RPL², Log No. 04-08-042

This Document is Considered Draft Until it is Adopted by the Appropriate County of San Diego Decision-Making Body.

This Mitigated Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

- a. Initial Study Form
 - b. Environmental Analysis Form and attached extended studies for Biology, Traffic, Noise, Hydrology/Drainage and Stormwater
1. California Environmental Quality Act Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.
 2. Required Mitigation Measures:

Refer to the attached Environmental Initial Study for the rationale for requiring the following measures:

A. TRANSPORTATION

1. The payment of the Transportation Impact Fee, which will be required at issuance of building permits, in combination with other components of this program, will mitigate potential cumulative traffic impacts to less than significant.

B. BIOLOGY

1. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Planning and Land that 3.30 acres of Southern Maritime habitat credit has been secured in a mitigation bank approved by the California Department of Fish & Game. The secured habitat must include the following sensitive plant species: Nuttall's scrub oak (*Quercus dumosa*), Decumbent goldenbush (*Isocoma menziesii decumbens*), and California adolphia (*Adolphia californica*). Evidence of purchase shall include the following information to be provided by the mitigation bank:
 - a) A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
 - b) If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.
 - c) To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
 - d) An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

C. NOISE

1. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following "Specific Environmental Notes" have been placed on the grading, and or improvement plans:
 - a. **"Prior to rough grading sign off**, provide evidence to the satisfaction of the Director of Planning and Land Use; that a slope/berm noise barrier has been constructed and will remain pursuant to the approved grading plan. The applicant shall provide a signed, stamped statement from a California Registered Engineer, licensed surveyor or County approved noise consultant, and photographic evidence that the slope/berm noise barrier has been implemented.
2. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the grading plans show that the existing slope/berm located on-site has been modified to mitigate the future anticipated noise impacts as indicated below:
 - a. The existing slope/berm barrier shall be five to ten feet high, relative to the elevation of Via de la Valle, along the edge of the property adjacent to Via de la Valle.
 - b. The existing slope/berm noise barrier shall be located between the eastern perimeter of the project site and. The slope/berm barrier will start at the northern portion of the project site, facing Unit 4 with a top of elevation of 210 feet. Top of slope/berm elevation will gradually decrease running towards a southerly direction to 205 feet at Unit 2 and 190 feet at Unit 1.
 - c. The Top of Slope/Berm elevations, details and location are shown on Figure 4: Noise Barrier heights And Locations and Section 3.1 Exterior Traffic Noise Impact within the Noise Study prepared by Dudek received on August 20, 2007 with an updated Figure 4 illustration received on October 17, 2007. Noise Study is on file with the Department of Planning and Land use as Case Number Tentative Map TM5406.
3. On the Final Map, grant to the County of San Diego a perpetual Noise Protection Easement over the entire project site. The easement is for the

mitigation of present and anticipated future excess noise levels on residential uses of the noise affected area. The easement shall include the following requirement:

“Said Noise Protection easement requires that before the issuance of any building or grading permit for any residential use within the noise protection easement located on the entire project site, the applicant shall:”

- a. Complete to the satisfaction of the Director of the Department of Planning and Land Use, an acoustical analysis performed by a County certified acoustical engineer, demonstrating that the present and anticipated future noise levels for the interior and exterior of the residential dwelling will not exceed the allowable sound level limit of the Noise Element of the San Diego County General Plan [exterior (60 dB CNEL), interior (45 dB CNEL)]. Future traffic noise level estimates for Via de la Valle shall use a traffic flow equivalent to a Level of Service “C” traffic flow for a Light Collector Road that is the designated General Plan Circulation Element buildout roadway classification.
- b. Incorporate to the satisfaction of the Director of the Department of Planning and Land Use all of the recommendations or mitigation measures of the acoustical analysis into the project design and building plans.

D. PALEONTOLOGICAL

1. “The Qualified Paleontologist or Qualified Paleontological Resources Monitor shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the Paleontological Resources Mitigation Program.”
 - a. “During the original cutting of previously undisturbed deposits for the project, both on and off site, the Qualified Paleontological Resources Monitor shall be on-site to monitor as determined necessary by the Qualified Paleontologist.”
 - b. “If paleontological resources are encountered during grading/excavation:
 - (1) The Qualified Paleontological Resources Monitor shall have the authority to direct, divert, or halt any grading/excavation activity until such time that the sensitivity of the resource can be determined and the appropriate salvage implemented.

- (2) The Qualified Monitor shall immediately contact the Qualified Paleontologist.
 - (3) The Qualified Paleontologist shall contact the County's Permit Compliance Coordinator immediately.
 - (4) The Qualified Paleontologist shall determine if the discovered resource is significant. If it is not significant, grading/excavation shall resume."
- c. "If the paleontological resource is significant or potentially significant, the Qualified Paleontologist or Qualified Paleontological Resources Monitor, under the supervision of the Qualified Paleontologist, shall complete the following tasks in the field:
- (1) Salvage unearthed fossil remains, including simple excavation of exposed specimens or, if necessary, plaster-jacketing of large and/or fragile specimens or more elaborate quarry excavations of richly fossiliferous deposits;
 - (2) Record stratigraphic and geologic data to provide a context for the recovered fossil remains, typically including a detailed description of all paleontological localities within the project site, as well as the lithology of fossil-bearing strata within the measured stratigraphic section, if feasible, and photographic documentation of the geologic setting; and
 - (3) Transport the collected specimens to a laboratory for processing (cleaning, curation, cataloging, etc.).
- d. "Prior to Rough Grading Inspection Sign-off, provide evidence that monitoring for paleontological resources has been completed. Evidence shall be in the form of a letter from the Qualified Paleontologist to the Director of Planning and Land Use."
- e. "Prior to Final Grading Release:"
- a. "If **no** paleontological resources were discovered, submit a letter report from the Qualified Paleontologist to the director of Planning and Land Use stating that the monitoring has been completed and that no paleontological resources were discovered."

- b. "If paleontological resources were discovered, the Following tasks shall be completed by or under the supervision of the Qualified Paleontologist:
1. Prepare collected fossil remains for curation, to include cleaning the fossils by removing the enclosing rock material, stabilizing fragile specimens using glues and other hardeners, if necessary, and repairing broken specimens;
 2. Curate, catalog and identify all fossil remains to the lowest taxon possible, inventory specimens, assigning catalog numbers, and enter the appropriate specimen and locality data into a collection database;
 3. Submit a detailed report prepared by the Qualified Paleontologist in the format provided in Appendix D of the County of San Diego's Guidelines for Determining Significance for Paleontological Resources and identifying which accredited institution has agreed to accept the curated fossils. Submit TWO hard copies of the final Paleontological Resources Mitigation Report to the Director of DPLU for final approval of the mitigation, and submit an electronic copy of the complete report in Microsoft Word on a CD. In addition, submit one copy of the report to the San Diego Natural History Museum and one copy to the institution that received the fossils."
 4. "Transfer the cataloged fossil remains and copies of relevant field notes, maps, stratigraphic sections, and photographs to an accredited institution (museum or university) in California that maintains paleontological collections for archival storage and/or display, and submit Proof of Transfer of Paleontological Resources, in the form of a letter, from the director of the paleontology department of the accredited institution to the Director of DPLU verifying that the curated fossils from the project site have been received by the institution."

OR

"Enter into a Secured Agreement with the County of San Diego, Department of Planning and Land Use,

secured by a letter of credit, bond, or cash for 150 percent of the estimated costs associated with the preparation of the Final Paleontological Resources Mitigation Program Report that documents the results, analysis, and conclusions of all phases of the Program, and a 10 percent cash deposit not to exceed \$15,000. A detailed cost estimate shall be prepared by the Qualified Paleontologist to the satisfaction of the Director of Planning and Land Use for the cost of curating the fossils, preparing the Final Paleontological Resources Mitigation Program Report, and transferring the collection to the accredited institution that has agreed to accept the collection."

2. Prior to recordation of the final map, and prior to approval of any grading or improvement plans, or issuance of any grading permits, the subdivider shall implement the following relating to the paleontological grading monitoring program, to mitigate potential impacts to undiscovered buried paleontological resources on the Project site. The following implementation shall be to the satisfaction of the Director of Planning and Land Use:
 - a. Provide evidence that a County approved Paleontologist ("Project Paleontologist") has been contracted to implement a grading monitoring and potential data recovery program which complies with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements, to the satisfaction of the Director of Planning and Land Use.
 - b. The Contract shall include a cost estimate of the required monitoring; this estimate shall be submitted to the Director of Public Works and included in the Bond Cost Estimate for the required Grading.
3. Critical Project Design Elements That Must Become Conditions of Approval:

The following project design elements were either proposed in the project application or the result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation measures, their implementation must be assured to avoid potentially significant environmental effects.

PLANS AND SPECIFICATIONS

1. The subdivider shall submit plans and specifications for improvements of all public and private street rights-of-way, drainage easements, culverts, drainage structures and drainage channels to the Department of Public Works for approval. (Standard Condition 1)

(Street Improvements)

2. Standard Conditions (2) through (10) as stated below:
 - a. Street alignments and grades, including the change of any existing or proposed street alignment and grade, shall be as required by the Director of Public Works. (Standard Condition 2) [DPW - Development Review Section]
 - b. The exact depth of imported base material shall be based on soil tests which have been approved by the Director of Public Works. (Standard Condition 3) [DPW - Development Review Section]
 - c. Sight distance requirements at all street intersections shall conform to the intersectional sight distance criteria of the Public Road Standards of the Department of Public Works. (Standard Condition 4) [DPW - Development Review Section]
 - d. If the improvement plans show a need to excavate in any public road right-of-way, the developer shall place a cash deposit with the Director of Public Works to ensure that any damage to the existing roadway is repaired in a timely manner. (Standard Condition 5) [DPW - Development Review Section]
 - e. The subdivider shall construct, or agree to construct, the public improvements and private road improvements shown on the improvement plans as approved by the Director of Public Works. (Standard Condition 6) [DPW - Development Review Section]
 - f. Streets shown on the Tentative Map are to be given street names approved by the Street Names Section of the Department of Planning and Land Use and the subdivider shall install all street name signs as part of the subdivision street improvements. If the subdivider desires site addresses for the lots created by the subdivision, the subdivider is to furnish a true scale Final Map to the Street Names Section. Said map is to show driveway locations for all lots and street names for all streets. (Standard Condition 7) [DPW - Development Review Section]

- g. All new and existing utility distribution facilities, including cable television lines, within the boundaries of the subdivision or within any half street abutting the subdivision, shall be placed underground in accordance with section 81.403(a)(6), of the Subdivision Ordinance. The subdivider is responsible for complying with the requirements of this condition, and shall make the necessary arrangements with each of the serving utilities, including licensed cable television operators, for the installation of such facilities. The subdivider shall either provide the Director of Public Works with documentation from a licensed cable television operator stating cable television service is available, or with documentation that the Cable Television Review Commission has reported that no licensed cable television operator is willing and able to provide service to the subdivision. (Standard Condition 8) [DPW - Development Review Section]
 - h. The installation (if required) of all gas, electric, sewer, and water lines and any other below surface utilities is to take place before the installation of any concrete curbs, gutters, sidewalks and the surfacing of the streets. (Standard Condition 9) [DPW - Development Review Section]
 - i. The subdivider shall construct to the satisfaction of the Director of Public Works, a public street lighting system that complies with the following conditions: (Standard Condition 10) [DPW - Development Review Section]
 - (1) All fixtures shall use a low pressure sodium vapor light source.
 - (2) Deposit with the County of San Diego, through the Department of Public Works, a cash deposit sufficient to:
 - Energize, maintain and operate the street lighting system until tax revenues begin accruing from the subdivision for those purposes.
 - Pay the cost to process lighting district administration of this project. After recording of the Final Map, the subdivision shall be transferred without notice or hearing, to Zone A of the lighting district to operate and maintain the system.
3. Specific Conditions:
- a. Provide adequate sight distance per County Standards at all proposed intersections to the satisfaction of the Director of Public Works.

- b. Provide interior driveways, parking areas, turnarounds, and signage to the requirements of the Rancho Santa Fe Fire Protection District, Tentative Map Standard Condition 11, and as approved by the Director of Public Works.

(Drainage and Flood Control)

4. Standard Conditions (13) through (18) as stated below:

- a. The subdivider shall provide for a drainage system capable of handling and disposing of all surface water originating within the subdivision and all surface water that may flow onto the subdivision from adjacent lands. Said drainage system shall include any easements and structures required by the Director of Public Works to properly handle the drainage and shall be designed so as to prevent ponding of surface water that would create a public health hazard or nuisance. (Standard Condition 13) [DPW - Development Review Section]
- b. The subdivider shall provide for the improvement of all drainage easements by culvert or drainage channel of adequate size, whichever is required by the Director of Public Works. Any required drainage channel shall be lined with a suitable material as specified by the Director of Public Works. All such drainage easements shall be monumented along property lines at locations approved by the Director of Public Works. An access easement shall be provided to each drainage system maintenance access point not directly accessible from a public roadway. Such access easement is to be improved, fenced and aligned to the satisfaction of the Director of Public Works. (Standard Condition 14) [DPW - Development Review Section]
- c. Portland cement concrete cross gutters or culverts shall be installed where water crosses the roadways. (Standard Condition 15) [DPW - Development Review Section]
- d. Each building lot shall have a flood-free site for a residence. The building site shall be safe from the flood peak of a 100-year frequency storm. (Standard Condition 16) [DPW - Development Review Section]
- e. An adequate energy dissipator shall be constructed at the outlet of the storm drain or verification shall be provided that such improvement is not needed. (Standard Condition 17) [DPW - Development Review Section]
- f. Hydrology and hydraulic calculations for determining the storm system design with water surface profile and adequate field survey cross section

data shall be provided satisfactory to the Director of Public Works or verification shall be provided that such calculations are not needed.
(Standard Condition 18) [DPW - Development Review Section]

5. Specific Conditions:

- a. The private storm drain system shall be privately maintained by a private maintenance mechanism such as a homeowners association or other private entity acceptable to the satisfaction of the Director of Public Works.
- b. The detention basin system shall be maintained by category 2 storm water maintenance (to ensure perpetual maintenance) according to category 2 post-construction Best Management Practices, BMPs (see 7.c below) to the satisfaction of the Director of Public Works.

(Grading Plans)

6. Standard Conditions (19a-e) as stated below:

- a. A grading permit is required and the subdivider shall comply with the following conditions prior to the issuance of such permit: (Standard Condition 19) [DPW - Development Review Section]
 - (1) The subdivider shall submit grading plans, a permit application and all fees and deposits to the County Department of Public Works. Grading plans shall be approved prior to or concurrently with the approval of the Improvement Plans.
 - (2) The grading plan shall contain a certificate signed by a registered civil engineer that the grading plan has preserved a minimum of one hundred square feet of solar access for each lot created by this subdivision pursuant to Section 81.401(m) of the Subdivision Ordinance.
 - (3) The subdivider shall deposit with the County Department of Public Works \$200.00 at the time the lot grading plan or improvement is submitted. The deposit will be made with whichever plan is first submitted. Said deposit shall be used to cover the cost of site inspection by a County geologist to determine whether any geologic hazard exists and, if such is found, to review the geologic report prepared by the developer's engineering geologist. The developer shall reimburse the County Department of Public Works for any cost in excess of the deposit prior to recording the Final Map. Any unused portion of the deposit will be refunded.

- (4) Obtain a sewer commitment if the subdivision is to be served by public sewer from a County Sanitation District. Such commitment shall only be issued when all conditions in the Resolution of Approval have been satisfied, the Final Map, grading plan and improvement plan have been approved by the Department of Public Works and all fees and deposits paid and improvement security posted.
- (5) If condominium units or a planned development are proposed, finished grading shall be certified by a registered Civil Engineer and inspected by the Director of Public Works for drainage clearance. [Approval of rough grading does not certify finished grading because of potential surface drainage problems that may be created by landscaping accomplished after rough grading certification.] If a grading permit is not required for the planned development/ condominium site, a registered Civil Engineer's certification for drainage clearance shall still be required.

7. Specific Conditions:

- a. Comply with all applicable stormwater regulations at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (**Ordinance No. 9589**) and all other applicable ordinances and standards. This includes requirements for Low Impact Development (LID), materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas 1 acre or greater require that the property owner keep additional and updated information onsite concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.
- b. All of the work described above pertaining to erosion control, irrigation system, slope protection, drainage systems, desilting basins, energy dissipators, and silt control shall be secured by an Instrument of Credit in a form satisfactory to County Counsel for an amount equal to the cost of this work as determined or approved by the County Department of Public Works. An agreement in a form satisfactory to County Counsel shall accompany the Instrument of Credit to authorize the County Department of Public Works to unilaterally withdraw any part of or all the Instrument of Credit to accomplish any of the work agreed to if it is not accomplished to the satisfaction of the County Department of Public Works by the date agreed. The cash deposit collected for grading, per the grading

ordinance, will be used for emergency erosion measures. If said deposit collected for grading is less than \$5,000.00, the developer will supplement the deposit to equal \$5,000.00. The developer shall submit a letter to the County Department of Public Works authorizing the use of this deposit for emergency measures.

- c. It is determined that the project includes category 2 post-construction BMPs, the applicant will be required to establish a maintenance agreement/mechanism (to include easements) to assure maintenance of these BMPs and to provide security to back up maintenance pursuant to the County Maintenance pursuant to the County Maintenance Plan Guidelines to the satisfaction of the Director of Public Works.

8. Specific Environmental Conditions: [DPLU]

- a. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following "Specific Environmental Notes" have been placed on the grading, and or improvement plans:

(Biological)

- 2. "Restrict all brushing, clearing and/or grading such that none will be allowed during the avian breeding season. This is defined as occurring between February 15 and August 31. The Director of Planning and Land Use may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Game, that no nests are present in the vicinity of the brushing, clearing or grading." **[DPLU, FEE]**

FAIR HOUSING

- 9. Submit to the Department of Public Works a letter from the County Equal Opportunity Management Office stating its approval of an affirmative fair housing marketing plan. (Standard Condition 20) [DPW - Development Review Section]

SANITATION

- 10. The subdivision will be served by a public sewer system and the following conditions shall apply: (Standard Condition 21) [DPLU - Community Planning Division]

Sewer Providing Agency

- a. Obtain the commitment of the applicable County sanitation district or independent sewer providing agency, to reserve facility capacity for all buildings/lots within the subdivision and obtain the approval of said agency of the plans and specifications for the installation of such public sewer system. If served by a County Sanitation District, such commitment shall only be issued when all conditions in the Resolution of Approval have been satisfied, the Final Map, grading plans and improvement plans have been approved by the Department of Public Works, and all fees and deposits paid and improvement security posted.

Commitment from the applicable agency shall be in the form of either of the following:

- (1) A written statement, issued no more than three months prior to the date of approval of the Final Map by the Board of Supervisors, certifying that a two-year commitment to reserve facility capacity for all lots within the subdivision has been given; or,
 - (2) In cases where the applicable agency has facilities under construction, a written statement, issued no more than three months prior to the date of the approval of the Final Map by the Board of Supervisors, certifying that:
 - (a) The agency has facilities under construction;
 - (b) All permits required for the construction of said facilities have been obtained; and
 - (c) For a period of at least two years following completion of the facility improvements, said agency commits to reserve facility capacity for all lots within the subdivision.
- b. The subdivider shall install or agree to install a sewer system as a subdivision improvement. Sewer and water lines shall not be laid in the same trench.
 - c. If all or part of the subdivision that is to be served by a public sewer system is located outside of the boundaries of the sewer providing agency, then the subdivider shall cause that portion of the subdivision that is to be sewerred to be annexed to said agency.
 - d. If the sewer commitment terminates before the Board of Supervisors Final Map approval, the Department of Health Services will deny application(s) for individual subsurface sewage disposal system(s) within this

subdivision, unless a Resolution Amendment has been obtained from the Director of Planning and Land Use, Planning and Environmental Review Board, Planning Commission or Board of Supervisors which approves individual subsurface sewage disposal systems for this subdivision.

FIRE PROTECTION AND WATER SUPPLY

11. The subdivision is to be connected to a public water system and the following conditions shall apply: (Standard Condition 23.1) [DPLU - Community Planning Section]

Water Providing Agency

- a. Obtain the commitment of the water providing agency to reserve facility capacity for all buildings/lots within the subdivision and obtain the approval of said agency of the plans and specifications for the installation of such public water system.

Commitment from the applicable agency shall be in the form of any of the following:

- (1) A written statement, issued no more than three months prior to the date of the approval of the Final Map by the Board of Supervisors, certifying that a two-year commitment to reserve facility capacity for all lots within the subdivision has been given; or,
- (2) In cases where the applicable agency has facilities under construction, a written statement issued no more than three months prior to the date of approval of the Final Map by the Board of Supervisors certifying that:
 - (a) The agency has facilities under construction;
 - (b) All permits required for the construction of said facilities have been obtained; and
 - (c) For a period of at least two years following completion of the facility improvement said agency commits to reserve facility capacity for all lots within the subdivision; or,
- (3) In cases where a majority of the territory served by the water providing agency is located with a city, a statement from the water providing agency, the form and terms of which shall be approved by the Director of Planning and Land Use.

- b. The subdivider shall install or agree to install a water system as a subdivision improvement. Water and sewer lines shall not be placed in the same trench.
- c. If all or part of the subdivision is located outside of the boundaries of the water providing agency, the subdivider shall cause all of the land within this subdivision to be annexed to said agency.

(Fire Protection Agency)

- 12. The subdivider shall submit a letter from the applicable fire protection agency stating its satisfaction with the type and location of fire protection improvements and the minimum required water flow in gallons per minute, together with a letter from the applicable water service agency that the fire protection agency's minimum required water flow will be available to serve the site or verification shall be provided that such improvements are not needed. (Standard Condition 23.2) [DPLU - Community Planning Division]

PLANNING AND ZONING ADMINISTRATION

- 13. Specific Conditions:

- a. Prior to recordation of the final map and the approval of grading or improvement plans, the subdivider shall obtain approval from the Director of Planning and Land Use of a detailed Landscape Plan. The Landscape Plan and review fee shall be submitted to the Regulatory Planning Division. Said plan shall show the types and locations of all landscaping features including planting and irrigation. The landscape material shall not interfere with any required solar access (plans shall show the proposed solar access/solar panel locations). [DPLU - Regulatory Planning Division]

In addition, the Landscape Plan shall address the following concern(s):

- (1) Indication of the proposed width of any adjacent public right-of-way, and the locations of any required improvements and any proposed plant materials to be installed or planted therein. The applicant shall also obtain a permit from the Department of Public Works approving the variety, location, and spacing of all trees proposed to be planted within said right(s)-of-way. A copy of this permit and a letter stating that all landscaping within the said right(s)-of-way shall be maintained by the landowner(s) shall be submitted to the Department of Planning and Land Use.
- (2) A complete planting plan including the names, sizes, and locations of all plant materials, including trees, shrubs, and groundcover.

Wherever appropriate, native or naturalizing plant materials shall be used which can thrive on natural moisture. These plants shall be irrigated only to establish the plantings.

- (3) A complete watering system including the location, size, and type of all backflow prevention devices, pressure and non-pressure water lines, valves, and sprinkler heads in those areas requiring permanent irrigation system. For areas of native or naturalizing plant material, the Landscape Plan shall show a method of irrigation adequate to assure establishment and growth of plants through two growing seasons.
- (4) Spot elevations of the hardscape, building, and proposed fine grading of the installed landscape.
- (5) The location and detail of all walls, fences, and walkways shall be shown on the plans. A lighting plan and light standard details shall be included in the plans.
- (6) Provide a wheel stop per the Off Street Parking Design Manual, for the two guest parking stalls.
- (7) Show and label the location of the existing oak tree to be relocated, as noted on the plans just south of the two existing pine trees to be removed.
- (8) The applicant shall first submit final landscape plans to the Rancho Santa Fe Fire Protection District (RSFFPD) for their review and approval. Once plans have been approved by the Fire District, submit two sets of plans to the Department of Planning and Land Use (with the Fire District's approval stamp and signatures on the plans). The final approved set of landscape plans will then have both DPLU and RSFFPD's approval stamp on the title sheet.

DEVELOPMENT IMPACT FEES

14. Specific Conditions:

- a. Deposit with the County Department of Public Works sufficient funds to cover the cost of inspection of the development improvements.

FINAL MAP RECORDATION

Final Map requirements shall be shown on the Final Map or otherwise accomplished to the satisfaction of the Director of Public Works prior to submittal for approval by the Board of Supervisors:

(Streets and Dedication)

15. Standard Conditions 25, 26, 27 and 28 as stated below:

- a. The Final Map shall show that all lots within the subdivision have a minimum 100 square feet of solar access for each future building unit allowed by this subdivision pursuant to Section 81.401(m) of the Subdivision Ordinance. (Standard Condition 25) [DPLU - Community Planning Division]
- b. The Final Map shall show the dedication of all on-site drainage easements, including easements for access thereto, and show monumentation for such easements, as required by the Director of Public Works, or verify that no easements are required. (Standard Condition 26) [DPW - Map Processing]
- c. The Final Map shall include the entire area shown on the Tentative Map and shall not be filed as units or groups of units. (Standard Condition 27)
- d. The subdivider shall accomplish the following prior to approval of the Final Map by the Board of Supervisors. (Standard Condition 28)
 - (1) Provide the County Department of Public Works with standard forms approved by the Director of Planning and Land Use stating that the applicable agency or agencies have provided commitment to the site for such public facilities that are required for the subdivision (including but not necessarily limited to, water and sewer services). [DPLU - Community Planning Division]
 - (2) Provide the County Department of Public Works with a certification from each public utility and each public entity owning easements within the proposed subdivision stating that: (a) they have received from the developer a copy of the proposed map; (b) they object or do not object to the filing of the map without their signature; (c) in case of a street dedication affected by their existing easement, they will sign a "subordination certificate" or "joint-use certificate" on the map when required by the governing body. In addition, the subdivider shall furnish proof to the satisfaction of the Director of Public Works that no new encumbrances have been created that would subordinate the County's interest over areas to be dedicated

for public road purposes since submittal of the tentative map.
[DPW - Map Processing]

- (3) Grant to the appropriate agency by recorded document all required off-site easements and all on-site water main easements that serve fire hydrants or furnish a letter from said agency that none are required. [DPW - Map Processing]
 - (4) Provide the County Department of Public Works with evidence that any offer of dedication or grant of right-of-way shall be free of all encumbrances or subordinated at the time of recordation of the Final Map. [DPW - Map Processing]
 - (5) If the subdivider does not have the real property rights necessary for public access or the construction of required improvements, he/she shall request the Board of Supervisors to direct County staff to begin eminent domain proceedings for acquisition of said property rights in accordance with Board Policy J-33. The developer shall agree to pay full County costs of eminent domain proceedings, including all easement costs. The developer shall also agree to construct required improvements within said easement. [DPW - Map Processing]
 - (6) Pay off all existing deficit accounts associated with processing this application to the satisfaction of the Department of Planning and Land Use, the Department of Public Works and the Department of Health Services prior to docketing the Final Map with the Clerk of the Board of Supervisors. [DPLU - Administrative Services Section, DHS - Environmental Health Services, Land Use]
16. A certification regarding condominium conditions shall conform to wording by County Counsel and shall indicate that there will be a maximum of six residential units constructed. [DPLU - Regulatory Planning Division]
17. Specific Conditions:
- a. With the Final Map, dedicate or cause to be granted the project half of Via de la Valle (SC 1525) along the project frontage in accordance with Public Road Standards for a Light Collector to a width of thirty-five feet (35') from the ultimate centerline, together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of Public Works.
 - b. Contact the Department of Public Works to determine the desired location of the centerline for Via de la Valle (SC 1525), which is shown on the

Circulation Element of the County General Plan as a Light Collector. The following shall be shown on the Final Map:

- (1) The centerline location as approved by the Department of Public Works.
- (2) Since Via de la Valle (SC 1525) is not required to be constructed to ultimate, the following shall be shown on the Final Map as "non-title" information:
 - (a) The width of the right-of-way which is thirty-five feet (35') from the centerline and identified by a line drawn at the appropriate location and labeled, "Limit of Proposed Street Widening." THE ADDITIONAL FIVE FEET (5') IS FOR A BICYCLE FACILITY.
 - (b) A building line which is fifty-five feet (55') from the centerline of the road, identified by a line drawn at the appropriate location and labeled, "Limit of Building Line."
 - (c) Show the ultimate slopes and drainage facilities on the Final Map. A profile and cross-sections sufficient to verify these limits shall be submitted to the Department of Public Works for review and approval.
- c. Prior to approval of improvement and/or grading plans, issuance of excavation permits, and issuance of any further grant of approval, the owners of this project will be required to sign a statement that they are aware of the County of San Diego, Department of Public Works, Pavement Cut Policy and that they have contacted all adjacent property owners and solicited their participation in the extension of utilities.
- d. Relinquish access rights into Via de la Valle (SC 1525) along the project frontage.
- e. The Basis of Bearings for the Subdivision Map shall be in terms of the California Coordinate System Zone 6 NORTH AMERICAN DATUM OF 1983 by use of existing Horizontal Control stations with first order accuracy to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.811).
- f. The Subdivision Map shall be prepared to show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California coordinate values of first order accuracy as

published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of Ground-to-Grid distances shall be shown on the map, all to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.811 and 81.506(j)).

18. Specific Vector Control Conditions: [DEH]

Prior to approval of the grading or improvement plans, or approval of the Final Map, whichever comes first, the applicant shall provide evidence to the Department of Public Works that a Vector Control Plan has been approved by the Department of Environmental Health Vector Control Program and that appropriate management practices have been.

WAIVER AND EXCEPTIONS

Said subdivision is hereby approved pursuant to the provisions of the State Subdivision Map Act, the County Subdivision Ordinance, the County Public and Private Road Standards, and all other required Ordinances of San Diego County except for a waiver or modification of the:

1. Standard Condition(s) for Tentative Maps:

- a. Standard Condition 27.1: Said condition states that the Final Map may be filed as units or groups of units. The Final Map for this project is required to include the entire area shown on the Tentative Map and shall not be filed as units or groups of units.
- b. Standard Condition 22: Said condition pertains to projects that propose to utilize private subsurface sewage disposal systems and this project proposes to receive sewer service from the Rancho Santa Fe Community Services District.
- c. Standard Condition 23.3: Said condition pertains to projects that have been conditioned to satisfy the requirements of the California Department of Forestry and said Department has submitted no such requirements for this project.
- d. Standard Condition 24: Said condition pertains to projects that are outside the boundaries of a fire protection agency and this project is located within the Rancho Santa Fe Fire Protection District and is eligible for service.

2. County Subdivision Ordinance design requirements:

All subdivisions are required to conform to the design requirements set forth in Section 81.401 of the County Subdivision Ordinance. This project requests a waiver of the following requirements for specified lots due to difficulties presented by topography, drainage and the need to preserve sensitive open space:

- a. Paragraph (g): Through Lots are not allowed unless vehicular access rights are relinquished to one of the abutting streets. The applicant proposes to relinquish said rights along Via de la Valle.
- b. Paragraph (f): Panhandles may not serve as access to any lot except the lot of which said panhandle is a part nor shall any panhandle have a length of more than two-thirds the distance from the road on which the panhandle fronts to the rear lot line. The project proposes condominium units, therefore said condition does not apply.

ADOPTION STATEMENT: This Mitigated Negative Declaration was adopted and above California Environmental Quality Act findings made by the:

on _____

Richard Grunow, Planning Manager
Regulatory Planning Division

RG:MS:tw